

CONSULTATION QUESTIONS

1: Should the scope of the new food body extend beyond the current scope of the FSA in Scotland? If yes, what specific extensions of scope would you suggest, and why?

- *Yes, the scope of the new food body should extend beyond the scope of the current FSA Scotland. Whilst the Scottish Executive have done some good work in relation to issues regarding E.coli / Alcohol consumption Minimum price per unit / limiting supermarket offers which encourage bulk buying of alcohol, we feel that it is critical that the new body needs to ensure that they continue to be 'leaders' rather than followers in the debate and in finding innovative or challenges ways to tackle these important issues.*

The scope of the new body needs to encompass areas which may not traditionally have been associated with FSA (many issues seemed to fall into a black hole between those under the remit of DEFRA and those of FSA.

E.g. How can levels of VTEC be reduced unless on- farm practices are influenced to reduce the effect on the food chain as well as the environment).

2: Should the new food body and the Scottish Government continue the arrangements for independent and partnership work on diet and nutrition set out in Annex A? If not, what changes would you suggest, and why?

- *No in relation to diet and nutrition. Due to health inequalities and due to issues related to Scotland, and because we believe that the food industry in general terms is dragging its heels on change, we think that on this issue only the new food body should go it alone initially as their success may encourage governments in the rest of the UK to follow suit.*

3: Are there any additional roles, responsibilities or functions in respect of diet and nutrition that you think the new food body could take on to help deliver an improvement to the health of the people in Scotland? Please give details and reasons.

- *The new food body should take advice and help from independent food industry NGO's [None Government Organizations] such as Sustain [The alliance for better Food and Farming] as they have a wealth and expertise and this would prove helpful in deciding policy objectives and ensuring outcomes. Also organizations such as this are well respected and trusted nationally and are independent of the food industry and also state what they believe is best for the public and consumer.*

4: What steps do you think could be taken to ensure the new food body is able to access the best available independent expert advice it needs to underpin its work on food safety and public health nutrition in Scotland? Please give reasons.

- We believe the basis for independent advice is that those giving it should not be associated with the food industry.*

Whilst Government advisory committees such as the Advisory Committee on the Microbiology Safety of Food are welcomed by us, we believe their weakness lies in the fact that certain members have close links to, or represent key parts of the food industry.

This raises serious concerns as their ability to remain independent (even if they are required to register their own interest). It is highly questionable if such individuals can separate independent advice from those of the organisations they represent (political views / lobbying etc)

Additionally one can argue that any government body who reports directly or indirectly to a Government Minister may experience political pressure directly or indirectly.

We would therefore wish to see totally independent people sitting on these committees and this new food body reporting directly to the Scottish parliament.

5: Do you consider that the new food body should focus its research and surveillance activities on issues that are particularly pertinent to Scottish citizens or should it also contribute to science and evidence programmes on wider issues which have relevance to the UK as a whole? Please give reasons.

- We believe that the new food body should commission research and surveillance on issues pertinent to Scottish citizens whilst at the same time contributing to issues that are relevant to all communities in the UK. This could be achieved by paying a percentage of national research and surveillance based on per head of population or by paying for agreed research and surveillance by all Food Standards type Agencies in the UK in full [again by head of population as what is spent]. This information would then be shared nationally as would other research and surveillance carried out in England, Wales and Northern Ireland without duplication.*

6: Do you agree that the new food body should be responsible for the coordination of all Scottish Government funded research on food safety and public health nutrition? What steps could be taken to raise the profile of the new food body as a research funder across the UK and beyond? Please give reasons.

- As stated in 5 above, we also believe that where research on food safety and public health nutrition is carried out for issues pertinent to Scottish Citizens then this should be coordinated by the new food body.*

However we believe any information gained from such should be shared with the relevant food bodies in England, Wales and Northern Ireland as their research into issues pertinent to their countries should be shared in Scotland. This may also help to ensure no duplication whilst allowing the most possible monies to be spent whilst gaining the most information possible.

7: Do you have any further suggestions for how the new food body could establish a strong independent evidence base for food safety, food standards and nutrition policy? Please give reasons.

- In order to spend monies wisely and effectively in relation to food safety and nutrition we need more research carried out on what products etc are causing the most significant problems in relation to particular foods. For example Campylobacter and VTEC are on the increase in the UK according to the number of laboratory confirmed cases [Whilst we acknowledge there was a 3% fall in Campylobacter in 2011 in Scotland] these are only the cases that are confirmed. Governments own figures suggest that under reporting may be as high as nearly eight times the number of cases in relation to foodbourne illness. Therefore we need to confirm more laboratory cases and what foods they came from, through better detection from laboratory services etc. In reference to this we believe that all laboratories in the UK should be using the same protocols for all testing. This should be the best and most sensitive .*

In the In terms of excess of salt and sugar in products we need the consumer to have more information on these and for the relevant food companies to reduce those as quickly as possible. This would require sampling of foods and then that information made easily accessible to the public in a number of different forms. [By this we mean that websites are not the only way to give information to the public]. Also not all members of the public have access to the internet or even if they do they might not use websites to obtain this information]. With an aging population we must acknowledge that the 60 plus generation are not all comfortable with new technology and therefore traditional ways of informing the public in terms of TV, radio. And newspaper advertising, leaflets available via GP surgeries etc, also have their place.

8: Do you consider that the new food body would require any further statutory powers, in addition to those that the FSA already has, to equip it to deal effectively with incidents such as the recent horse meat substitutions, and to prevent such incidents happening? Please give reasons.

- The recent horsemeat substitutions we believe clearly demonstrates that the food industry as little or no control over their food chain[s] and additional regulation is required for such issues. The industry at retail level has generally not audited its suppliers whist being responsible as the food business operator to ensure its products are what they state they are, in*

their promotions or on their labels etc.. Whilst some large food retailers, we believe in relation to bacterium etc, may state in their contracts with suppliers, what or not is acceptable, do they audit and test their suppliers products?

9: Do you have any further comments about how the new food body might ensure that it can deal effectively with contraventions of food standards and safety law? Please give reasons.

*• We believe that the term "Better Regulation" by Government means little or no regulation. Food requires strict regulation as we all require to eat or drink it to live.
[Food poisoning was defined in 1992 by the DH Advisory Committee on The Microbiological Safety of Food as "Any disease of an infectious or toxic nature caused by or thought to be caused by the consumption of food or water"].*

Where current legislation is broken the penalties should be greater to ensure the offender desists as well as make them aware of how seriously it is taken. This may require additional legislation.

In relation to policies such as "The Food Hygiene Rating System [Formally know as Scores on the Doors] this would require additional legislation to make this mandatory. We believe consumers should have this information displayed at all food business rather than just on the internet.

Where companies in either England Wales or Northern Ireland offer to sell products such as raw milk thought internet sales in Scotland where it has been banned since 1st August 1983 the New food body should make them desist by taken firm action. At the present time two companies in England are offering to do so to certain postcodes in Scotland. The present Food standards Agency in Scotland appear to being reluctant to do so.

Regulation is an important tool, however without enforcement of it we believe that it is worthless. Therefore regulation and enforcement go hand in hand in the best of safety & quality systems.

10: Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

• In order to have an effective approach to Zoonoses the new food body need to work closely with the Agricultural sector as the existing agency is not really from farm to fork but more like slaughter house to plate.

Also as you have the highest prevalence of E. coli 0157 per head of population in the UK we believe that the importance of say new cattle

vaccines etc to prevent this bacterium could be helpful to the Scottish Government, though food and Environmental cases leading to a more joined up approach to such issues. In England for example as DEFRA & the FSA have different area's of responsibility, this we believe does not produce the best results in terms of reducing the number of cases caused by bacterium such as this, as their approach is not joined up.

11: Please tell us your views about these suggestions for changes to the delivery of official food and feed controls. Do you think that the new food body should work in a different way with local authorities? Please give reasons.

• The new food body should continue to work with local authorities in relation to official and feed controls etc. However in order to ensure that they are compliant to the relevant European Commission Regulations and to ensure the highest possible standards to enable consumer safety and animal welfare the local authorities should be audited on a regular basis by the new food body or by an independent body. The new food body should consult with the European Food and Veterinary office as well as taking into account previous reports on how these audits should be best carried out such as the Pennington report into the 2005 outbreak of E.coli O157 in South Wales, to ensure the highest level of audit which will then help to ensure consumer safety and animal welfare.

12: Do you have any views on how the new food body should assure delivery of official controls and meet the relevant EU obligations? Please give reasons.

• As stated in 11 above. In addition to this we believe that the new food body need to look at the European obligations by looking at the relevant legislation in its wider context and not in what we believe is its narrowly interpreted view that the current Food standards Agency holds nationally. For example: we believe that HACCP [Hazard Analysis Critical control Point]] measures are not interpreted as they should be as stated in EC Regulation 852/2004 If they had been there would be little or no food borne outbreaks causing illness to the public since its introduction in 2006. The new food body therefore need to carry out far more sampling of food at retail level for foodborne bacterium and for products that have high levels of salt and sugar that may be un-healthy. This would help ascertain where the highest risk areas are and thereafter help to ensure their policy decisions where effective.

13: Are there any additional or alternative relationships that you would suggest that would help the new food body achieve the Scottish Ministers' objective of longer, healthier lives for the people of Scotland? Please give details and reasons.

• *Whilst the new food body should have relationships with the food industry, these should not be to the detriment of the consumer. We would therefore suggest that the new food body build up its relationships with NGO's [None Government Organizations] who represent independent views on behalf of the consumer. Also the new food body should build up relationships with Scientific companies and NGO'S who are trying to improve diet & nutrition, prevent bacterium, improve human health and who are intent on improving animal health and welfare in relation to the new food body's remit.*

14: Do you have any suggestions about how the new food body can engage effectively with consumers, both in developing policy and providing information and advice?

• *By being more open and Transparent than the current Food Standards Agency nationally, we believe that this will encourage more consumer engagement. Whilst the current Food Standards Agency claims to be open and transparent our experience is that they try to withhold information even if initially under Freedom of information requests. For a publically funded body not dealing with national security this we believe this is unacceptable.*

Some smaller charities and organisations also do not have the resources, mainly financial, to engage. We believe resources should be set aside to enable this for those who wish to.

15: Do you agree with the suggested approach to ensuring the new food body's independence from Government and the food industry? Do you have any further suggestions for how the new food body could best establish and maintain its position as an arms length part of Government? Please give reasons.

• *The idea of reporting to the Scottish parliament rather than a Scottish Health Minister is a good one because it allows the reporting lines to be as open as possible in this system. This also leads us to believe that this would give the public greater confidence in the new Food Body as it would be clear that all information was given to the Scottish parliament by this new body, and this was their responsibility and therefore this could not be seen as those based on political decisions etc. In other words this would be seen by the public as being more open and transparent. Also it would prevent a Health Minister of ever being blamed for not giving information to the Scottish Parliament or for misleading the Scottish Parliament. In addition the Chief Executive or other person in charge of running this new body along with board members or others overseeing the running should not have a past record of involvement [Such as working in the food industry] or interests [Such as shares in food companies] to ensure that there is no conflict of interest in the protection of the consumer or of animal welfare. We believe that the Food Standards Agency have had Chief Executives and some board members who's past association with the food industry [Even when they declare their conflict of Interest] make it very difficult for the*

public to accept that they are truly independent. Whilst the food industry must be congratulated for their efforts in production of food after the Second World War, the time has come to ensure the health of the nation is now at the forefront of what is done in relation to food.

16: Do you have any further comments, or suggestions, on the creation of a new food body for Scotland that are not covered by any of the previous questions?

- We would wish the new food body to be as independent as possible, not to bow to the wishes of the food industry unless it is to be benefit of the consumer or health of the nation, for all the advice it seeks to be truly independent of the food industry or its representatives and for it to be truly open and transparent and not withhold information to the public or consumer. We would also wish to see the new body putting the consumer first and just not stating it does, as the current FSA appears to do, without we believe actually doing so. Words are cheap but actions prove the real intent of any origination [If you keep saying the same thing you may come to believe in it without it being a reality]. We would also wish to see the public given all information in several formats so as not to deprive any section of the public or consumer from benefitting from it.*